

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF ALBEMARLE

NORMA SIPE
1265 Pounding Creek Rd
Charlottesville, VA 22903

Plaintiff

v.

A&S TRANSPORTING LLC
Serve: Registered Agent
Anthony J Sesely III
14 Overhill Road
Matawan, NJ 07747

And

ERIC TEPP
1998 Black Bird Drive
Apopka, FL 32703

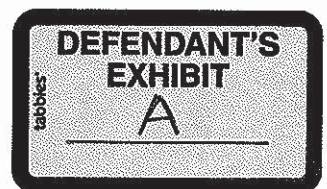
Defendants

CASE NO. CL003 CL 20000592-00

FILED
2020 APR 10 PM 1:25
CIRCUIT COURT CLERK'S OFFICE
ALBEMARLE COUNTY, VA
JOHN A. ZUC, CLERK
BY _____
D.C.

COMPLAINT

COMES NOW, the Plaintiff, NORMA SIPE, by and through her attorney, William J. Whitaker, and moves this Honorable Court for Judgment against the Defendants, A&S TRANSPORTING LLC and ERIC TEPP in the amount of Three Hundred Fifty Thousand Dollars (\$350,000.00) and states as her grounds the following:



COUNT I - NEGLIGENCE

1. That this court has jurisdiction of the within cause of action as all acts and omissions occurred in the Commonwealth of Virginia.
2. That the Plaintiff, NORMA SIPE, hereinafter referred to as "Plaintiff" or "NORMA" and has a residential address of 1265 Pounding Creek Rd. Charlottesville, VA 22903.
3. That the Defendant, ERIC TEPP hereinafter referred to as "Defendant(s)" or "TEPP" upon information and believe has a residential address of 1998 Black Bird Drive Apopka, FL 32703.
4. That the Defendant A&S TRANSPORTING LLC, hereinafter referred to as "Defendant(s)" or "A&S TRANSPORTING LLC" is a business operating in the Commonwealth of Virginia without a proper license. Upon information and belief the registered agent for the Defendant is Anthony J Sesely III, 14 Overhill Road Matawan, NJ 07747.
5. That at all times relevant hereto, Defendant, A&S TRANSPORTING LLC, was acting by and through its agent, servant and/or employee, including but not limited to Defendant TEPP.
6. That on or about December 22, 2018, Plaintiff was legally and safely driving her vehicle along I-81.

7. That at the same time and place the Defendant, TEPP, was driving his vehicle as an agent, servant and/or employee of Defendant A&S TRANSPORTING LLC.

8. That Defendant TEPP's vehicle struck the Plaintiff's vehicle in the rear.

9. That at said time and place aforesaid, Defendant TEPP, had a duty to the Plaintiff to operate the vehicle belonging to the other Defendants in a safe and reasonable manner, at a safe, reasonable and legal speed, to pay full time and attention to his driving, to keep a proper lookout, to obey all rules of the road, and to exercise the highest degree of care to avoid injury to the Plaintiff.

10. That by the commission of one or more of the acts of the preceding paragraphs, the Defendants' breached their duty of care to the Plaintiff and as a direct and proximate result thereof, the Defendants' vehicle violently collided with the vehicle in which Plaintiff was traveling, causing the Plaintiff painful and disabling injuries, of both a temporary and permanent nature.

11. That as a sole, direct and proximate result of the Defendant's negligence, the Plaintiff has been and will be prevented from carrying out her normal activities; has suffered and will continue to suffer great pain of body and mind; and has incurred and will incur in the future, hospital, doctors and related expenses in an effort to be cured of said injuries.

12. The Plaintiff, NORMA, was in no way contributory negligent, nor did she assume the risk for her injuries.

COUNT II – RESPONDEAT SUPERIOR

13. The Plaintiff herein incorporates the aforesaid paragraphs 1 through 12 and makes them a part hereof to the extent they are not inconsistent with what is alleged in Count I.

14. At the time of the collision between the vehicle driven by Defendant TEPP, and the Plaintiff's vehicle, TEPP was an agent, servant and/or employee of the Defendant, A&S TRANSPORTING LLC.


15. That upon information and belief, Defendant TEPP was an agent, servant or employee of the Defendant, A&S TRANSPORTING LLC, acting within the scope of his employment and authority at all times material to this action.

16. That at the time of the collision between the vehicle driven by Defendant TEPP and the Plaintiff's vehicle, Defendant TEPP was driving the vehicle with the express and/or implied permission of the Defendant, A&S TRANSPORTING LLC.

WHEREFORE, the Plaintiff, by counsel, prays for compensatory damages against the Defendants jointly and severally in the sum of Three Hundred Fifty Thousand Dollars (\$350,000.00) as well as her costs incurred herein.

Respectfully submitted,

NORMA SIPE
By Counsel



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Counsel for Plaintiff

JURY DEMAND

The Plaintiff requests a trial by jury on all matters herein.